

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

MASSACHUSETTS DEVELOPMENT  
FINANCE AGENCY,

Plaintiff,

v.

ADP MARSHALL, INC., a FLUOR DANIEL  
COMPANY, and FIREMAN'S FUND  
INSURANCE COMPANY,

Defendants.

CIVIL ACTION NO. 04 CV 10203 PBS

ADP MARSHALL, INC.,

Third Party Plaintiff,

v.

ALLIED CONSULTING ENGINEERING  
SERVICES, INC., et al.,

Third Party Defendants.

**JOINT MOTION TO EXTEND THE TIME IN WHICH THE  
THIRD PARTY DEFENDANT, UNITED STATES FIDELITY AND GUARANTY  
COMPANY, MAY FILE ITS OPPOSITION TO ADP MARSHALL, INC.'S  
MOTION FOR SUMMARY JUDGMENT**

The third party defendant, United States Fidelity and Guaranty Company ("USF&G"), and the third party plaintiff, ADP Marshall, Inc. ("ADP"), hereby jointly move this Honorable Court to extend the time within which USF&G is to file its Opposition to ADP's Motion for Summary Judgment on its Third Party Complaint Against USF&G from January 7, 2005 to February 4, 2005. As grounds for this Joint Motion, the parties state that they are attempting in good faith to settle their dispute concerning the roofing issues on the Project which, if successful,

will alleviate the need for USF&G to respond to the Motion. The requested extension of time will not unfairly prejudice any party and is in the interest of judicial economy.

WHEREFORE, the third party defendant, United States Fidelity and Guaranty Company and the third party plaintiff, ADP Marshall, Inc., jointly request that the Court extend the time within which USF&G is to file its Opposition to ADP's Motion for Summary Judgment Against USF&G to February 4, 2005.

Respectfully submitted,

**UNITED STATES FIDELITY AND  
GUARANTY COMPANY,**

By its attorneys,

/s/ Eric H. Loeffler  
Bradford R. Carver, BBO #565396  
Eric H. Loeffler, BBO#641289  
Cetrulo & Capone LLP  
Two Seaport Lane  
Boston, Massachusetts 02210  
(617) 217-5500

**ADP MARSHALL, INC.,**

By its attorneys,

/s/ Andrew J. Tine  
Andrew J. Tine, BBO #633639  
Haese, LLC  
70 Franklin Street, 9<sup>th</sup> Floor  
Boston, MA 02110  
(617) 428-0266